

AUBURN CITY COUNCIL MINUTES
REGULAR SESSION
November 28, 2005
Regular Session 6:00 p.m.

The Regular Session of the Auburn City Council was held in the Council Chamber, City Hall at 1225 Lincoln Way, Auburn, California with Mayor Alice Dowdin presiding and City Clerk Joseph G.R. Labrie recording the minutes.

CALL TO ORDER
PLEDGE OF ALLEGIANCE

ROLL CALL

Council Members Present: Kevin Hanley, Mike Holmes, Keith Nesbitt, Bob Snyder, Mayor Alice Dowdin

Council Members Absent: None.

Staff Members Present: City Manager Bob Richardson
City Attorney Mike Colantuono
Fire Chief Mark D'Ambrogi
Police Captain Valerie Harris
Public Works Director Charles Clark
Finance Director Andy Heath

**MAYOR'S COMMENDATIONS/PROCLAMATIONS/ACKNOWLEDGEMENTS/
ANNOUNCEMENTS**

Mayor Dowdin said she would adjourn this meeting in memory of U.S. Marine Corps Lance Corporal John Lucente who was killed in Iraq.

Mayor Dowdin said she would have an announcement at the end of the meeting before the adjournment.

AGENDA APPROVAL

Item 4 was removed from the agenda at the request of the City Manager and continued to another meeting and, **WITHOUT OBJECTION**, the Agenda was approved as amended.

CONSENT CALENDAR

1. **Minutes**

By **MOTION** approve City Council Minutes of September 20 and October 24, 2005.

2. **Fire Dispatch Agreement with California Department of Forestry & Fire Protection, 2005-2006**

By **RESOLUTION 05-127** authorize the Fire Chief to sign the Fire Dispatch Agreement with California Department of Forestry & Fire Protection for Fiscal Year 2005-2006.

3. **Cobblestone Subdivision Acceptance**

By **RESOLUTION 05-128** accept the public improvements associated with the Cobblestone Subdivision.

4. **Arts Commission Appointments**

Item continued.

5. **Economic Development Commission Funding Request – Old Town Business Association for Christmas Decorations**

Item removed by resident Dan Sokol; follows Consent Calendar.

6. **Approval of Non-Disturbance and Attornment Agreement with Umpqua Bank and Karl H. Schiller and Gudrun G. Schiller, Trustees**

By **RESOLUTION 05-130** approve a Non-disturbance and Attornment Agreement with Umpqua Bank and Karl H. Schiller and Gudrun G. Schiller, Trustees.

***** End of Consent Calendar *****

By **MOTION** approve Consent Calendar as amended. **MOTION: Nesbitt/Holmes/Approved 5:0**

5. **Economic Development Commission Funding Request – Old Town Business Association for Christmas Decorations**

Dan Sokol of 1330 Deerwood Place in Auburn said it was shocking that “we have lost the ability to think for ourselves.” He said that in times past merchants would take care of their own private needs and not have their hands out for contributions from the public. He reminded the Council that, in order for the City to fully recover this investment, Old Town would have to increase its sales by a quarter-million dollars during the Christmas

season. It would be far better to spend the money on some of the streets, which are in terrible condition.

Council Member Holmes said that the EDC is not recommending to pay the full cost for the lighting; half will be paid by the Old Town Business Association. This is only one constituency we need to support, particularly in light of the fire that took place there recently.

Council Member Nesbitt said that this is an EDC budget matter. These are not funds that would be borrowed from another program. This is the proper use of these funds.

Council Member Hanley said the City budgets only \$70,000 per year for the EDC out of a \$7,000,000 General Fund.

By **RESOLUTION 05-129** approve the Economic Development Commission's Funding Request for the Old Town Business Association to purchase Christmas Decorations. **MOTION: Snyder/Holmes/Approved 5:0**

7. Public Comment

Former Mayor Cheryl Maki expressed concern about the Council's intention to appoint Council Member Mike Holmes as the next mayor on December 5th. She said it would be too difficult to perform the duties as mayor and run for Congress at the same time, especially in such a large congressional district as this one.

Council Member Holmes responded that he could perform both functions at the same time. He reminded Ms. Maki that the most heavily populated part of the district is within an hour's drive to Auburn. He also reminded her that sometime ago he asked the Council to come up with a resolution on how the mayor is to be selected; she did not support that. So now she is changing her mind on how the mayor is to be selected. He said his first obligation is to the people of this city. If it becomes too much for him to handle, he will take appropriate action.

Council Member Holmes thanked the Salvation Army for the wonderful Thanksgiving dinner held at the fairgrounds. He also thanked all those who volunteered and contributed.

Council Member Nesbitt agreed with Holmes and added that 2300 meals were served that day. He also thanked PG&E for the beautiful lights they installed on the Old Firehouse in Old Town Auburn. PG&E paid for the lighting and the labor.

Council Member Snyder said now is the time to sign up to be a bell ringer for the Salvation Army.

REPORTS

8. Committee and Commission Reports

- A. Telecommunications Commission. Chairman Glenn Tonkin reported on the status of the cablevision installation.

9. City Council Committee Reports

Mayor Dowdin said Administration Committee met last week. She and Council Member Hanley spoke with the Finance Director about the City's financial condition. The City continues to be in good financial condition, as the forthcoming report will show.

COUNCIL BUSINESS

10. Appointment of Chief of Police

By **RESOLUTION 05-131** appoint Captain Valerie Harris to be Chief of Police.

City Manager Bob Richardson said that her salary would fall within the approved range. The fiscal impact would be a savings for the City of about \$17,000 with no impact on the budget. This appointment will become effective December 31, 2005.

Mayor Dowdin noted that Valerie Harris was Auburn's first female police officer and will become Auburn's first female Police Chief.

MOTION: Dowdin/Hanley/Approved 5:0

11. Authorization to Purchase Equipment with Funds Provided via an Office of Traffic Safety Grant

Police Captain Valerie Harris and Officer David Lawicka gave the presentation. They said the command post would be used for emergency situations and would also be particularly helpful in coordinating various checkpoints when checking for those driving under the influence.

The messaging board will be used primarily for emergency and traffic related issues. It will also be made available to attract people to various events in the city.

- A. By **RESOLUTION 05-132** authorize the City Manager or his designee to execute a purchase order with Universal Vehicles for one (1) Mobile Command Vehicle in an amount not to exceed \$163,000.00; **MOTION: Hanley/Holmes/Approved 5:0** and
- B. By **RESOLUTION 05-133** authorize the City Manager or his designee to execute a purchase order with Millenium Products Equipment for one (1) portable solar messaging board in an amount not to exceed \$15,000; **Motion: Hanley/Holmes/Approved 5:0** and
- C. By **RESOLUTION 05-134** increase the appropriation for expenditures in the amount of \$10,500 from the Facilities and Equipment Fund by reducing available fund balance. **MOTION: Hanley/Holmes/Approved 5:0**
12. **Grant Application for Rubberized Sidewalks, through the Tire-Derived Product Grant Program at the California Integrated Waste Management Board**
- Council Member Nesbitt said the Pedestrian Master Plan was anxious to test alternative materials and to use recycled materials on certain distressed sidewalks in the City. These sidewalks will be professionally installed initially. This will help educate city workers on the installation process.
- By **RESOLUTION 05-135** authorize the City Manager to submit and execute on behalf of the City of Auburn an application for \$25,000 from the Tire-Derived Product (TDP) Grant Program at the California Integrated Waste Management Board. . **MOTION: Holmes/Hanley/Approved 5:0**
13. **Addition of Mayoral Appointment for the Park Preserve Committee**

By **MOTION** add the Park Preserve Committee on the Mayoral Appointment and select two members of the City Council to sit on that Committee.

City Manager Bob Richardson said the city has many partners associated with this project. We need a development agreement, which will encompass a wide range of issues. By resolution we will establish an ad hoc committee that will create a final document for the Council by the end of April of next year. This ad hoc committee will be made up of the primary partners in the group: two Council Members, two members from the Boys and Girls Club, The City Manager, the Executive Director of the Boys and Girls Club, one representative of the Auburn Community Foundation and one from the Skyview Foundation.

The Committee will be charged with developing a development agreement for the improvement and maintenance of the School Park Preserve for consideration by the Council. The Committee shall have support from the City Attorney and other City staff as directed by the City Manager. The development recommendation shall be provided to the City Council by the end of April, 2006, after which time the Committee shall be disestablished.

The Committee shall also comply with the Brown Act, but will have no fixed meeting schedule.

WITHOUT OBJECTION Mayor Dowdin appointed Council Members Nesbitt and Snyder to the Committee.

By **RESOLUTION 05-136** approve the resolution document as amended, including the appointment of Council Members Nesbitt and Snyder to the Committee. **MOTION: Nesbitt/Hanley/Approved 5:0**

14. **Amendment of Conflict of Interest Code**

City Attorney Michael Colantuono said that the City should adopt the State's model of the conflicts of interest code because there is no question of its lawfulness, the City will never have to defend itself and it is self-updating.

He recommended that the City exonerate all those commissioners who serve in advisory capacities from the duties of disclosing financial information to the public. Those who are actually making decisions on behalf of the City owe the responsibility to the public to be transparent about where their other interests lie. Their annual financial reports will continue to be required.

By **RESOLUTION 05-137** amend the Auburn Conflict of Interest Code. **MOTION: Holmes/Snyder/Approved 5:0**

Mayor Dowdin announced that she had been appointed by the Governor as his Deputy Appointments Secretary within the Governor's office. This appointment will require that she resign from the City Council due to the Conflicts of Interest law. She will formally resign at the end of the December 5th Council meeting.

ADJOURNMENT at 7:35 p.m. in memory of Marine Corps Lance Corporal John Lucente who was killed in Iraq.

Joseph G.R. Labrie, City Clerk

Alice Dowdin, Mayor

